

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF YAVAPAI

FILED
DATE: March 10, 2009
5:00 O'Clock P.M. ✓
JEANNE HICKS, CLERK
BY: WENDY BRYAN
Deputy

DIVISION 6

JEANNE HICKS, CLERK

HON. THOMAS B. LINDBERG

BY: Wendy Bryan, Deputy Clerk

CASE NO. CR 2008-1339

DATE: March 10, 2009

TITLE:

COUNSEL:

STATE OF ARIZONA

Yavapai County Attorney

(Plaintiff)

(For Plaintiff)

-vs-

STEVEN CARROLL DEMOCKER

John Sears

Larry A. Hammond
Anne M. Chapman
OSBORN MALEDON, P.A.
2929 North Central Avenue, 21st

Floor

Phoenix, AZ 85012-2794
(For Defendant)

(D- 1)

HEARING:	NATURE OF PROCEEDINGS	COURT REPORTER
<u>Oral Argument</u>		<u>Roxanne Tarn</u>
START TIME: <u>10:53 a.m.</u>		END TIME: <u>12:28 p.m.</u>

APPEARANCES: Mark Ainley, Counsel for the State
Steven Democker, Defendant (*in Custody*)
John Sears, Counsel for the Defendant

The Court notes this is the time set for oral argument on the Motion for Re-examination of Conditions of Release and for the Defendant's request for an extension of time to file a new motion for finding of probable cause.

Counsel for the State addresses the Court regarding the necessity of obtaining an order for release of the parties' divorce records and presents the Court with a motion. The Court will accept briefing on this issue, allowing Counsel for the Defendant until March 20, 2009 to file a response. The Court directs the Clerk to accept the original motion for filing.

Counsel for the State addresses the Court regarding the Notice of Filing of Defendant's Passport filed on January 6, 2009 and requests an order from the Court to unseal the passport to allow for copying. Counsel presents the Court with a proposed order. Absent any objection, the Court signs the order and directs the Clerk to accept and file the order this date.

Counsel for the Defendant has made a decision to file a Motion for Finding Probable Cause and requests an extension of time for filing the Motion to April 1, 2009, which Counsel for the State objects.

Both Counsel present argument on the Motion for Re-examination of Conditions of Release to the Court.

IT IS ORDERED:

- **GRANTING** the extension of time for filing a motion for finding of probable cause only through March 24, 2009. The Court signs the order granting this extension and directs the Clerk to accept and file this date.
- Setting a **Pretrial Conference on April 21, 2009 at 9:00 a.m.** before this division at the Yavapai County Courthouse. The Court will further hear argument on any motions filed for probable cause, at the Pretrial Conference
- ✓ Taking this issue **under advisement**

Time is excluded under Rule 8.

cc: Division 6 w/file (*under advisement*)